



IN THE U.S. PATENT AND TRADEMARK OFFICE

TH
8-29-03
#6/Rejection

Appn. No.: 09/735,408
Applicant: Ronald K Yamamoto
Filing Date: December 11, 2000
Title: TREATMENT OF OCULAR DISEASE

TC/A.U.: 3763
Examiner: Jeremy Thissell

Docket No.: 336-9901U

RECEIVED
AUG 28 2003
TECHNOLOGY CENTER #3700

Mailed: August 21, 2003
at Sunnyvale, CA

PROVISIONAL ELECTION

Commissioner of Patents
PO Box 1450
Arlington, VA 22313-1450

Sir:

In response to the Office Action mailed April 21, 2003, please amend the above-identified application as follows:

PROVISIONAL ELECTION

Applicant provisionally elects with traverse the following species:

Group 1, Species A: Ultrasound imaging locating means

Group 2, Species A: Viscoelastic substance delivered

Group 3, Species B: Flexible outer sheath

Group 4, Species B: Expandable tip member

Group 5, Species A: Stent implant

Group 6, Species A: Cutting tool construct

3¹

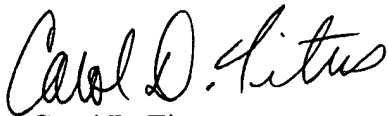
This election includes claims 1-4, 6-8, 10, 18-29, 31-³¹4, 37-39, 42, 45, 46, 50, 51, 53, 59 and 60. Applicant reserves the right to resubmit the non-elected claims if a generic claim is allowed. Currently, many of the claims, including all of the independent claims 1, 20, 32, 38, 45 and 50 are generic to a plurality of the species.

CONCLUSION

Applicant submits that the claims all define novel subject matter that is nonobvious. Therefore, allowance of these claims is submitted to be proper and is respectfully requested.

Applicant invites the Examiner to contact Applicant's representative as listed below for a telephonic interview if so doing would expedite the prosecution of the application.

Very respectfully submitted,



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